

EXHIBIT C

United States; falsely attesting that employees were authorized to work in the United States; and altering and destroying I-9 Forms to avoid paying fines and penalties to the United States.

2. [REDACTED] is currently employed by Infosys as a [REDACTED] and has been employed by Infosys since [REDACTED]. As such [REDACTED] has been privy to intimate details of Infosys' schemes to use the B-1 visa program to "creatively" get around the H-1B restrictions placed by the United States and to work the system in order to increase profits and the value of Infosys' stock. [REDACTED] witnessed many of the violations and was, in fact, instructed by supervisors to commit illegal acts to further these illegal frauds and schemes which he refused to do. [REDACTED] has also been privy to emails and other documentations that prove these violations.

3. The practices of the Defendant Infosys as set out herein of employing illegally documented aliens to work on clients sites under improper visas in contravention of federal law also is costing American citizens jobs.

4. Infosys is out carrying this illegal conduct to increase its profits.

II. PARTIES

5. Relator [REDACTED] is over the age of nineteen years and is a resident citizen of [REDACTED]. At all material times, Relator [REDACTED] was employed by Infosys as a [REDACTED].

6. Defendant Infosys Technologies Limited Incorporated (Infosys) is a foreign corporation with its headquarters in Bangalore, India and its principal place of business located at 34760 Campus Drive, Fremont, CA 94555. Infosys' Immigration Department and Human Resources Department is located at 6100 Tennyson Parkway, Suite 200, Plano, TX 75024.

III. JURISDICTION & VENUE

7. This action arises under the False Claims Act, 31 U.S.C. § 3729 *et seq.*, creating subject matter jurisdiction pursuant to 31 U.S.C. § 3732(a).

8. The Court has personal jurisdiction over Defendant Infosys because it transacts business in this judicial district.

9. Venue is proper in this judicial district pursuant to 31 U.S.C. § 3732(a) because, among other things: (i) Infosys transacts business in this district and did so at all times relevant to this Complaint; (ii) Infosys Immigration Team is in this district; (iii) Infosys maintains I-9 forms in this district and (iii) Infosys committed violations of law within this district. Venue also is proper in this district because a substantial part of the events or omissions given rise to the claims occurred in this judicial district.

10. Before filing this complaint, [REDACTED] served a copy of same upon the United States, together with a written disclosure statement setting forth and enclosing all material evidence and information he possesses, pursuant to the requirements of 31 U.S.C. § 3730(b)(2).

11. [REDACTED] has complied with all other conditions precedent to bringing this action.

12. [REDACTED] is the original source of, and has direct and independent knowledge of, all publicly disclosed information on which any allegations herein might be deemed based, and has voluntarily provided such information to the Government before filing this action.

IV. FACTUAL ALLEGATIONS

13. Infosys provides information technology and consulting services worldwide including the United States. Infosys employs over 15,000 foreign nationals in the United States, a substantial number of which are working in the United States on H-1B and B-1 visas.

14. Pursuant to 8 U.S.C.A. § 1101(a)(15)(H)(i)(b), the H-1B visa category applies to people who perform services in a specialty occupation and the employee must meet certain criteria to qualify.

15. Pursuant to 8 U.S.C.A. § 1101(a)(15)(B) the B-1 visa category applies to temporary business visitors who come to the United States. Under the law, this visa category only allows aliens to conduct activities of a commercial or professional nature, such as, consulting with business associates, negotiating a contract, or attending business conferences. Individuals on B-1 visas are prohibited, by law, from working in full time jobs in the United States.

16. Through the years Infosys has applied for and obtained B-1 visas for its employees to come to the United States falsely representing to the Government that the employees were coming for meetings or other legitimate B-1 purposes, but instead employing the B-1 visa holders in full time jobs at client sites in direct violation of the law.

17. In 2009, the United States put increased restrictions and limitations on the number of H-1B visas that companies, including Infosys, could receive.

18. In March of 2010, [REDACTED] was invited to Bangalore, India to attend Infosys planning meetings. During one of the meetings, Infosys management discussed the need to, and ways to, "creatively" get around the H-1B limitations and process and to work the system in order to increase profits and the value of Infosys' stock. The decision was made by Infosys management to increase the use of the B-1 visa program to get around the H-1B restrictions.

19. Subsequently, during the course of his employment, [REDACTED] personally observed and reviewed Infosys documents showing that Infosys, in fact, was sending foreigners to the United States under B-1 visas to work in full-time positions at Infosys' customer sites in direct violation of immigration laws. [REDACTED] also learned that instead of paying these employees through Infosys' payroll system, it was directly depositing funds into these employees' cash cards for their use and benefit in the United States. To this date, Infosys continues this practice.

20. Infosys' scheme of paying these B-1 employees through direct deposits to cash or debit accounts allowed Infosys to avoid paying Social Security and Medicare taxes.

21. [REDACTED] also learned that Infosys was violating the H-1B visa program by employing H-1B visa holders in jobs that, by law, are not "specialty occupations."

22. [REDACTED] also learned that Infosys was not completing I-9 "Employment Eligibility Verification" Forms or otherwise documenting all Infosys employees working in the United States. [REDACTED] also learned that Infosys was not properly executing I-9 forms and/or knowingly signed false I-9 forms. By signing the I-9 forms, Infosys officials certified "under penalty of perjury, that to the best of my knowledge, this employee is eligible to work in the United States ... the document(s) examined appear to be genuine, originals, and relate to the individual" when the officials had never reviewed the documentation.

23. [REDACTED] has personally observed H-1B employees with no social security numbers and is aware of other employees with "dummy" social security numbers, in direct violation of the law.

24. In September 2010, an Infosys manager from India came to the United States to talk to Plaintiff. The manager confirmed the violations, but stressed to the Plaintiff that it was important "to keep this quiet."

25. Infosys general counsel also admitted to [REDACTED] that Infosys was and is guilty of Visa Fraud.

26. Infosys continues to employ workers with either no documentation, or clearly fabricated documentation. This is done with the full knowledge of Infosys employees, including [REDACTED] supervisors, its general counsel, Immigration Team and Human Resources Department.

27. The jobs performed by Infosys' B-1 employees and many of the H-1B employees does not require the education, training and other criteria required for H-1B employees and are jobs that American workers are fully capable of performing.

28. Infosys' scheme of sending employees to the United States to work in full time jobs on client sites on B-1 visas benefits Infosys because the workers are paid substantially less than American workers

and/or H-1B employees. Under this scheme, Infosys avoids paying the United States the substantially higher application fee for H-1B visas and avoids paying Social Security, Medicare and other fees to the Government.

COUNT I

VIOLATIONS OF THE FALSE CLAIMS ACT

29. [REDACTED] realleges all prior paragraphs of this Complaint as if set out in full.

30. Defendant Infosys, by and through its officers, agents, and employees knowingly made, used, or caused to be made or used, false records and/or statements material to its obligation to pay or transmit money to the United States and/or knowingly concealed, avoided or decreased its obligations to pay or transmit money or property to the Government.

31. Defendant Infosys authorized and ratified all the violations of the False Claims Act committed by its various officers, agents, and employees.

32. The United States Government, American workers and the public have been damaged as a result of Defendant Infosys's violations of the False Claims Act.

CLAIMS FOR RELIEF

WHEREFORE, [REDACTED] on behalf of himself and the United States Government, prays:

(i) that this Court enter a judgment against Defendant in an amount equal to three times the amount of damages the United States has sustained as a result of Defendant's violations of the False Claims Act;

(ii) that this Court enter a judgment against Defendant for a civil penalty of \$10,000 for each of Defendant's violations of the False Claims Act;

(iii) that [REDACTED] be awarded all reasonable attorneys' fees in bringing this action;

(iv) that in the event the United States Government proceeds with this action, [REDACTED] be awarded an amount for bringing this action of at least 15% but not more than 25% of the proceeds of the action;

(v) that in the event the United States Government does not proceed with this action, [REDACTED] be awarded an amount for bringing this action of at least 25% but not more than 30% of the proceeds of the action plus all costs of this action, with interest, including the cost to the United States Government for its expenses related to this action;

(vi) that [REDACTED] be awarded prejudgment interest;

(vii) that a trial by jury be held on all issues so triable; and

(viii) that [REDACTED] and the United States of America receive all relief to which either or both may be entitled at law or in equity.

Relator Demands Trial by Jury

